

No. 9/5/84-Lab/76393.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of Executive Engineer, City Operation Div. H.S.E.B., Rohtak :—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK.

Reference No. 161 of 81

between

SHRI MADAN LAL, WORKMAN AND THE MANAGEMENT OF THE EXECUTIVE ENGINEER,
CITY OPERATION DIVISION, HARYANA STATE ELECTRICITY BOARD,
ROHTAK

Present :—None for the workman.

Shri N.P. Singh, Law Officer of the respondent.

AWARD

In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute, between Shri Madan Lal, workman and the management of The Executive Engineer, City Operation Division, Haryana State Electricity Board, Rohtak, to this Court, for adjudication,—vide Labour Department Notification No. 1D/RTK/103/81/60428, dated 16th February, 1981 :—

Whether the termination of service of Shri Madan Lal was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, usual notices were issued to the parties. The parties appeared. Subsequently, today the workman has not appeared. Earlier demand notice was filed by him. He alleged that his services were illegally terminated w.e.f. 22nd May, 1981 without any prior notice and payment of retrenchment compensation as envisaged under the provisions of the Industrial Disputes Act, 1947. In the reply by the respondent board, pleas taken are that the reference is bad in law and the petitioner has got no existing right and that no cause of action has accrued in favour of the petitioner and the services of the petitioner were terminated on 31st May, 1981 after completion of work, and no retrenchment compensation was paid to him because he was employed on daily wages.

On the pleadings of the parties, following issue was framed :—

1. Whether the termination of service of the workman was justified and in order? If not, to what relief is he entitled?

When the case was at the stage of adducing evidence by the management, the workman absented, though the management have produced one witness Shri S.P. Gupta, S.D.O., Operation. Since there is none to controvert the pleas of the respondent, no useful purpose shall be served in recording the evidence of the management. Since the workman is not forthcoming, so, I presume that he has no dispute with the respondent-management. So, this reference is answered and returned accordingly.

Dated 14th August, 1984.

B.P. JINDAL.

Presiding Officer.

Labour Court, Rohtak.

Endst. No. 161-81/2915, dated 7th September, 1984.

Forwarded (four copies), to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B.P. JINDAL.

Presiding Officer.

Labour Court, Rohtak.